

CHAPTER 14 SPECIAL LAND USES

AMD 1/2021 Sect. OO
AMD 2/2022 Sect. NN

SECTION 14.01 PURPOSE

Special Land Uses are those uses of land which are not essentially incompatible with uses permitted in a District, but possess characteristics or locational qualities which require individual review and discretion in order to avoid incompatibility with the character of the surrounding area, public services and facilities, and adjacent uses of land. Protection of surrounding property values and compatibility with existing and intended uses of the land are important considerations. The purpose of this Chapter is to establish equitable procedures and criteria that shall be applied in the determination of requests to establish Special Land Uses. The criteria for decision and requirements provided for under the provisions of this Chapter shall be in addition to those required elsewhere in this Ordinance which are applicable to the Special Land Use under consideration.

SECTION 14.02 APPLICATION AND REVIEW PROCEDURES

- A. An application for permission to establish a Special Land Use shall be submitted in accordance with the following procedures:
1. Applications for a Special Land Use shall be submitted to the Planning Commission through the Zoning Administrator. The Zoning Administrator will review the application for completeness, and then transmit it to the Planning Commission. Applications not meeting the requirements shall be returned to the applicant for completion.
 2. An application for a Special Land Use approval shall consist of the following:
 - a. Nine (9) copies of a site plan meeting the requirements of Chapter 13.
 - b. A completed application form, as provided by the Township.
 - c. Payment of a fee or fees, in accordance with a fee schedule, as determined by the Township Board from time to time; to be paid when the application is determined complete and accepted by the Zoning Administrator.
 - d. A legal description of the entire property that is the subject of the Special Land Use.
 - e. A statement with regard to compliance with the criteria required for approval in Section 14.03.A.1-5, and other specific criteria imposed by this Ordinance affecting the Special Land Use under consideration.
 - f. Other materials as may be required by the Planning Commission.
- B. Public Hearing

1. The application for a Special Land Use permit shall be submitted at least thirty (30) days prior to the next regular Planning Commission meeting.
2. Upon receipt of an application for a Special Land Use, the Planning Commission shall schedule a public hearing in accordance with state law for the purpose of receiving comments relative to the Special Land Use application.
3. One (1) notice of the public hearing for a Special Land Use shall be published in a newspaper that circulates in the township not less than fifteen (15) days before the hearing. Notice shall also be sent by mail or personal delivery to property owners and occupants of structures within three hundred (300) feet of the boundary of the property. One (1) copy of the notice shall also be provided to the Township Clerk. The notice shall include:
 - a. The nature and location of the request.
 - b. When and where the request shall be considered.
 - c. When and where the ordinance, request and pertinent material may be examined.
 - d. When and where written comments shall be received concerning the request.
4. Upon the approval or approval with conditions by the Planning Commission, the applicant may apply for a building permit. When the conditions of approval require a revised site plan, it must be submitted and approved prior to the acceptance of a building permit application.
5. If a special land use request is denied by the Planning Commission, the reasons for the denial shall be stated in the minutes or other document of the Planning Commission and the applicant shall be provided a written explanation or such minutes or document.

SECTION 14.03 BASIS OF DETERMINATION

Prior to approval of a Special Land Use application, the Planning Commission shall ensure that the standards specified in this Section, as well as applicable standards established elsewhere in this Ordinance, shall be satisfied by the completion and operation of the Special Land Use under consideration.

- A. The Planning Commission shall review the particular circumstances of the application under consideration in terms of the following standards, and shall approve a Special Land Use only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Ordinance:
 1. The Special Land Use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.

2. The Special Land Use shall not change the essential character of the surrounding area.
 3. The Special Land Use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the creation of hazardous or potentially hazardous situations or the excessive production of traffic, noise, odor, smoke, dust, fumes, glare or site drainage.
 4. The Special Land Use shall not place demands on public services and facilities in excess of current capacity.
 5. The Special Land Use shall be in general agreement with the Township Master Plan.
 6. The Special Land Use shall comply with all site plan review standards.
- B. The Planning Commission may impose conditions with the approval of a Special Land Use that are necessary to ensure compliance with the standards for approval stated in this Section and any other applicable standards contained in this Ordinance. The conditions shall be considered an integral part of the Special Land Use permit and shall be enforced by the Zoning Administrator.
- C. The Planning Commission may require a performance bond or other financial security to be posted by the applicant or by some other reasonable surety to ensure that the Special Land Use complies with the conditions of approval.
- D. If, after the establishment, the Special Land Use is found in noncompliance with the approval granted by the Planning Commission, the noncompliance shall be corrected in sixty (60) days to eliminate any problems as determined by the Planning Commission. If infractions are not corrected within the sixty (60) days, the provisions of Section 14.05 shall be initiated.

SECTION 14.04 APPROVAL TERM AND EXPIRATION

- A. A Special Land Use approval, including conditions imposed, is attached to and shall run with the land for which the approval is granted, and shall be binding upon subsequent owners and all occupants of the subject land, and shall be recorded with the Newaygo County Register of Deeds within ninety (90) days of approval and prior to the issuance of a zoning or building permit.
- B. A Special Land Use approval shall be valid for one (1) year from the date of approval, and the Planning Commission may grant up to a one (1) year extension, unless approval is revoked as provided in Section 14.05, or the Special Land Use has been initiated, or construction necessary for such use has been substantially initiated and is proceeding meaningfully toward completion.
- C. If, by the end of the one (1) year extension, one of the following exists, the Special Land Use shall be deemed expired and no longer valid, and any zoning or building permit issued shall be revoked:

1. The Special Land Use has not been initiated.
 2. Substantial construction necessary for the Special Land Use has not been initiated.
 3. Substantial construction has been initiated but is not proceeding meaningfully toward completion.
- D. Reapplication for approval of an expired Special Land Use approval shall be considered in the same manner as the original application.

SECTION 14.05 REVOCATION OF SPECIAL LAND USE APPROVAL

The Planning Commission may revoke any Special Land Use approval, or take any other action allowed by law, if the applicant fails to comply with any of the applicable requirements in this Chapter, any conditions placed on the approval by the Planning Commission, or any other applicable provisions of this Ordinance. Prior to revoking a Special Land Use approval, the Planning Commission shall conduct a public hearing and give notice of such hearing in accordance with Section 14.02.B.

SECTION 14.06 SPECIFIC SPECIAL LAND USE STANDARDS

The following Special Land Uses shall be subject to the requirements of the District in which they are located, in addition to all the applicable conditions, standards, and regulations as are cited in this Section. The following uses have such conditions, standards, or regulations:

- A. Bed and breakfast establishments
- B. Bowling alleys
- C. Billboard
- D. Cemeteries
- E. Commercial greenhouse and nurseries
- F. Kennels
- G. Commercial stables
- H. Commercial storage warehouses
- I. Country clubs, golf courses, riding stables, and publicly-owned athletic grounds and parks, and other similar uses, including related uses, such as snack bars, pro-shops restaurants, and small retail shops selling goods directly related to the primary use, and other similar uses integral to the main use
- J. Day care center
- K. Drive through restaurants
- L. Farm labor housing

- M. Farm market
- N. Funeral homes and mortuary establishments
- O. Hotels and motels
- P. Intensive livestock operations
- Q. Multiple-family dwellings with no more than eight (8) units per structure and no more than thirty-two (32) units per development
- R. Nursing homes
- S. Open air businesses
- T. Open space preservation development
- U. Outdoor recreation development
- V. Produce/vegetable packaging plant
- W. Public boat Launches
- X. Public or private campground
- Y. Raising of fur-bearing animals or game birds
- Z. Removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources
- AA. Sale of animal feed, seed, fertilizers, and related farming products unless conducted as part of a bona fide farming operation where the operation does not require a Michigan sales tax license.
- BB. Adult uses
- CC. Sawmills
- DD. Schools, churches, libraries, parks, playgrounds and community center buildings
- EE. Shooting, rifle and handgun ranges
- FF. State licensed residential group home care facilities
- GG. Theaters or similar places of public assembly
- HH. Vehicle body and repair shops.
- II. Vehicle service station.
- JJ. Vehicle wash establishment, either self-serve or automatic.

- KK. Veterinary hospitals and animal clinics
- LL. Wireless communication towers over 75 feet
- MM. Wireless communication towers
- NN. Poultry slaughtering, rendering and packaging facility.
- OO. Solar Energy Systems

A. Bed and breakfast establishments

1. The establishment shall be serviced by adequate water and sanitary sewer services, as approved by the Newaygo County Health Department.
2. The establishment shall be located on property with direct access to a public road.
3. A bed and breakfast establishment shall not be permitted on any property where there exists more than one (1) other bed and breakfast establishment within one thousand, five hundred (1,500) feet, measured between the closest property lines.
4. The use shall only be established in a single-family dwelling.
5. Parking shall be located to minimize negative impacts on adjacent properties.
6. The number of guest rooms in the establishment shall not exceed five (5), plus one (1) additional guest room for each ten thousand (10,000) square feet of lot area, or fraction thereof, in excess of one (1) acre of lot area, not to exceed a maximum of nine (9) guest rooms in any case.
7. Exterior refuse storage facilities beyond what is normally expected for a single-family dwelling shall not be located in any front yard and shall be properly fenced in or screened from view on three sides.
8. Signs for bed and breakfast establishments shall be limited to one (1) ground sign, or one (1) wall sign. A ground sign shall not exceed sixteen (16) square feet in size, or six (6) feet in height, and must be set back at least five (5) feet from all property lines. A wall sign shall not exceed five (5) percent of the wall area to which it is attached. Neither sign may be illuminated.
9. The establishment shall contain the principal residence of the operator.
10. Accessory retail or service uses to a bed and breakfast establishment shall be made available only to overnight guests of the establishment (not to the general public), including but not limited to gift shops, restaurants, bakeries, weddings or special events.
11. Meals shall be served only to the operator's family, employees, and overnight guests.

12. Design of the establishment must adhere to typical residential characteristics so that the dwelling unit retains its inherent single-family character.
13. All guest rooms must have interior access to common areas (e.g., dining sitting, restrooms, etc.)

B. Bowling alleys

1. The minimum lot size shall be five (5) acres.
2. The lot shall be located so at least one (1) side abuts a paved arterial or collector road and all access shall be from that road.
3. Entry drives and parking areas shall be a minimum of one hundred (100) feet from adjacent property lines.

C. Billboards

1. Billboards shall be located at least three hundred (300) feet from any residential use or District and shall be spaced at least one thousand (1,000) feet from another billboard. Such distance shall not be measured from across a street. Billboards shall be at least two hundred (200) feet from any intersection.
2. Nothing of a sexually explicit nature shall be presented on any billboard in the township.
3. The top of the billboard shall not exceed twenty (20) feet above the average grade. Average grade shall be determined by the ground on which the billboard sits or the grade of the abutting roadway, whichever is higher.
4. Billboards shall not be illuminated because of their potential to: bleed light, cast glare in the public right-of-way, distracting drivers; take attention from on-premise businesses; or shine into adjacent residential areas.
5. The sign area shall be limited to two hundred (200) square feet in total.
6. The sign face shall comply with setback requirements of the District.
7. Billboards shall be located only on a lot or parcel with no building and no principal use.

D. Cemeteries

1. Minimum lot area shall be five (5) acres and there shall be a minimum frontage of two hundred (200) feet.
2. The use shall be located on property with direct access to a public road.
3. Gravesites shall be setback a minimum of fifty (50) feet from the property line of any Residential District or use.

4. Buildings, including buildings for storage of equipment, shall be set back one hundred (100) feet from the property line of any abutting Residential District or use.
5. Driveways and parking areas shall be at least fifty (50) feet from any adjacent property line.

E. Commercial greenhouses and nurseries

1. Minimum lot area shall be two (2) acres and there shall be a minimum frontage of two hundred (200) feet.
2. The lot area used for parking, display, or storage shall be provided with a permanent, durable and dustless surface, and shall be graded and drained so as to dispose of all surface water.
3. Any display materials or equipment stored or displayed outside of an enclosed building shall not extend into any required yard or occupy any required parking or maneuvering areas for vehicles.
4. Driveways and parking areas shall be at least fifty (50) feet from any adjacent property line.
5. Ingress and egress to the lot shall be from a paved (primary) arterial or collector road.

F. Kennels

1. The minimum lot size shall be five (5) acres for the first ten (10) animals, plus one (1) additional acre for each additional five (5) animals.
2. All buildings or areas in which the animals are kept or exercised shall be set back a minimum of one hundred (100) feet from any adjoining property.
3. A screened/landscaped area shall be provided between all buildings or areas in which the animals are kept or exercised, and any adjacent residential use.
4. Animal waste shall be managed to prevent odors and other nuisances.
5. A kennel permit shall be obtained from the Newaygo County Animal Control Department.

G. Commercial stables

1. All lots shall have a minimum of three (3) acres for the first horse and additional one-half (1/2) acre per each additional horse. Young equines below weaning age or six (6) months of age shall not need additional lot area.
2. Animal corrals or paddocks shall be a minimum of fifty (50) feet from an exterior property line or the ordinary high-water mark of surface water.

3. Fencing shall be a minimum of four (4) feet in height and constructed of materials with the appropriate structural strength to restrain the animals.
4. All areas used as arenas for exercising, training, or exhibition of animals shall be maintained in a dust-free manner by an approved and acceptable means for the prevention of detrimental and nuisance effects of dust emission to surrounding properties.
5. The keeping and maintenance of horses, as provided for in this Section, shall comply with all regulations and provisions of the health and sanitation laws of the County and State. All premises and facilities upon which animals are permitted to be kept shall be maintained in a clean, orderly and sanitary condition at all times. All manure shall be removed or spread so as not to constitute a nuisance and in accord with Michigan Department of Agriculture and State and County Health Department regulations. All premises and facilities shall be treated with biologically, ecologically and environmentally approved pesticides for the control of odors, insects and rodents, which in any way can be considered a clear and present nuisance or detriment to the health safety, comfort and welfare of the general public.
6. Parking shall be provided at a minimum of one (1) parking space per two (2) animals, based on the number of horse stalls or maximum number of horses that can be accommodated in the stables.
7. Enclosed riding arenas associated with commercial equine establishments shall not exceed ten thousand (10,000) square feet in gross floor area on a minimum of ten (10) acre site, except that an additional one thousand five hundred (1,500) square feet of floor area may be permitted for each additional full acre in a lot area. No living quarters shall be located in any arena building or boarding stable.

H. Commercial storage warehouses

1. The use shall be developed on lots of at least two (2) acres, but not more than five (5) acres in size. No more than sixty percent (60%) of the lot may be used for buildings, parking lots and access.
2. The lot shall abut and gain access from a paved arterial or collector road.
3. A six (6) foot, solid fence of a material acceptable to the Planning Commission, shall enclose the area occupied by the use. The fence shall be set back at least ten (10) feet from the front property line.
4. The front yard, up to the fence, shall be landscaped in accordance with Section 3.16.
5. Outdoor storage of boats and recreational vehicles is permitted provided the storage area is properly screened.
6. Minimum side and rear yards as specified for the District shall be maintained.

7. There shall be a minimum of thirty-five (35) feet between storage facilities for driveway, parking, and fire lane purposes. Where no parking is provided within the building separation areas, the building separation need only be twenty-five (25) feet.
8. Traffic direction and parking shall be designated by signs or painting.
9. The lot area used for parking shall be provided with a paved surface and shall be drained so as to dispose of all surface water.
10. Where the site abuts a Residential District, screening that complies with Section 3.16 shall be provided along that property line.

I. Outdoor recreational uses, country clubs, golf courses, riding stables, and publicly-owned athletic grounds and parks, and other similar uses, including related uses, such as snack bars, pro-shops restaurants, and small retail shops selling goods directly related to the primary use

1. The site plan shall indicate the location of service roads, entrances, driveways and parking areas and shall be designed in relationship to the public road or street to ensure that pedestrian and vehicular traffic safety.
2. Development features shall be shown on the site plan; including the main and accessory buildings, structures and parking areas, located to minimize adverse effects upon adjacent property.
3. Buildings and parking areas shall be not less than one hundred (100) feet from any property line or abutting Residential District or use, provided that where topographic conditions are such that buildings would be screened from view. The Planning Commission may reduce this requirement where additional screening is provided.
4. Whenever a swimming pool is to be provided, it shall be located at least one hundred (100) feet from abutting Residential District and shall be provided with a protective fence six (6) feet in height and entry shall be by means of a controlled gate.
5. The minimum site area for tennis, or other racket sport shall be two (2) acres and the courts shall be located at least one hundred (100) feet from abutting Residential District or use.
6. Where the site abuts a Residential District, screening shall be provided along that property line. Grass, plant materials, and sight obscuring fences or walls, of a type approved by the Planning Commission, shall be placed within the buffer strip. The Planning Commission shall use Section 3.16 when determining screening is needed.
7. A fifty (50) foot minimum natural vegetation strip between turf areas and natural water bodies, watercourses or wetlands must be maintained. The natural vegetation strip shall not be chemically treated.

8. The outdoor storage of trash or rubbish shall be screened in accordance with the screening requirements of Section 3.16.
9. Accessory uses may include; clubhouse/pro shop, managerial facilities, maintenance shed, toilets, lockers, restaurant and bar, driving range, tennis, racket sport, and swimming facilities.
10. Major accessory uses such as a restaurant shall be housed in a single building with the clubhouse. Minor accessory uses strictly related to the operation of the golf course itself, such as maintenance garage and pro-shop or golf shop may be located in separate structures.
11. The clubhouse design is to be of a residential character and exterior materials are to be primarily wood or brick.
12. No building shall be erected to a height greater than that permitted in the district in which it is located.
13. The total lot area covered with principal and accessory buildings shall not exceed fifteen percent (15%).
14. All parking areas and access drives shall be paved.
15. No outdoor loudspeaker or call system shall be audible on adjoining property.
16. A golf driving range accessory to the principal use of the golf course is permitted provided the area devoted to this use shall maintain a seventy-five (75) foot front yard and a one hundred (100) foot side and rear yard setback. The area shall be buffered by natural vegetation and fencing to minimize the impact upon adjoining properties.
17. A minimum of two (2) satellite restrooms or other acceptable facilities are required for each nine (9) holes. The facilities are to be located away from lot lines and painted or finished in an earth tone color. Such facilities shall be approved by the Newaygo County Health Department.
18. Golf courses shall retain and preserve native vegetation over at least thirty percent (30%) of the total upland area of the course to reduce water demand, excessive soil erosion and heavy nutrient run off.
19. Water quality protective measures are required as follows:
 - a. Maintenance of erosion control barriers during construction and until all ground cover is established.
 - b. To the extent feasible, runoff must be directed to on-site holding/sedimentation ponds with a water quality control structure installed at the outlet prior to water discharge from the premises.
 - c. Areas in proximity to fuel and chemical storage areas shall be designed to direct all runoff to an on-site ponding area.

- d. A chemical storage area must be designated within an accessory building.
 - e. The area must provide secondary containment to prevent the spread of spills.
 - f. All herbicide, insecticide, fungicide and rodenticide chemicals must be stored in a locked enclosure.
 - g. An inventory manifest of stored chemicals must be posted at the entrance of the building housing them.
 - h. At any time, widespread or non-spot application of herbicide, insecticide, fungicide or rodenticide is to occur, notification signs must be posted at lot lines. The signs are to state the type and name of the chemical, date and time of application, and other appropriate information.
 - i. All chemical applications must be by a Michigan Department of Agriculture Licensed Applicator.
 - j. Chemicals shall meet the requirements of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the Environmental Protection Agency (EPA), and all appropriate State statutes and administrative directives.
20. In order to ensure that the site can be restored to prior conditions should golf course construction not be completed; the Township may require posting of a performance guarantee or other acceptable security.

J. Day care center

- 1. Facilities shall be located with direct access to a paved public road.
- 2. A facility shall not operate between the hours of 10:00 p.m. and 6:00 a.m. unless the main building and any play area are separated from any residence by more than three hundred (300) feet.
- 3. Playground equipment shall not be located in front or side yard.
- 4. All outdoor play areas shall be enclosed with fencing, a minimum of four (4) feet high or as required by the State of Michigan.
- 5. An off-street drop-off area is to be provided with the capability to accommodate at least four (4) vehicles in addition to the parking normally required for employees.
- 6. Activities associated with childcare shall not be permitted in any accessory building, structure, or attached or detached garage other than the main building.
- 7. There shall be provided on the site a useable outdoor area at the rate of at least sixty-six (66) square feet for each child, or as required by the State of Michigan.

K. Drive through restaurant

1. Sufficient stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public right-of-way. A minimum of ten (10) stacking spaces for the service ordering station shall be provided.
2. Stacking spaces shall be located so as not to interfere with vehicular circulation and egress from the property by vehicles not using the drive-through portion of the facility.
3. In addition to parking space requirements, at least three (3) parking spaces shall be provided, in close proximity to the exit of the drive-through portion of the operation, to allow for customers waiting for delivery of orders.
4. Access to the site shall be located according to minimum spacing of access points from intersections and spacing from other access points along the same side of the public street based on access spacing standards listed in Chapter 14.
5. The parking and maneuvering areas of the site shall be fenced and screened from the view of any abutting Residential District or use by a decorative fence or wall, or a landscaped equivalent.
6. Outdoor speakers for the drive through facility shall be located in a way that minimizes sound transmission toward an adjacent property.
7. The Planning Commission may establish reasonable hours of operation where it is determined that the proposed use may generate noise, glare, or similar disturbances upon nearby residents.

L. Farm labor housing

1. Farm size shall be a minimum of thirty (30) acres in size.
2. Seasonal housing shall only be used for persons and their families directly employed by the owner of the farm dwelling.
3. The rules, regulations, and standards of the State of Michigan governing the licensing and operation of seasonal housing shall apply where any dwelling is used to house one or more seasonal workers.
4. Seasonal housing shall be located at one hundred (100) feet from any public road, at least two hundred (200) feet from any other property line and four hundred (400) feet from any dwelling on adjacent property.
5. No newly constructed seasonal housing unit shall have more than one story nor accommodate more than one family. No farm labor housing structure shall be closer than thirty (30) feet to another structure.
6. To ensure adequate access for emergency vehicles and personnel, no seasonal housing unit shall be located closer than thirty (30) feet to a driveway or private

road.

7. All construction shall conform to the building codes adopted by the County and other Ordinances where such regulations impose greater standards than state and federal regulations.
8. Any seasonal housing that is not occupied by seasonal workers during five (5) consecutive seasons shall be removed by the owner within six (6) months.

M. Farm market

1. Minimum lot size shall be three (3) acres.
2. Farm market activities may include entertainment functions associated with the farm including, but not necessarily limited to, cider processing, donut making, pumpkin carving, hayrides, apple dunking, and Christmas tree cutting.
3. No activity or structure shall be located within fifty (50) feet of the public road right-of-way.
4. All parking shall be out of the public right of way. A minimum of ten (10) parking spaces shall be provided for the market. Facilities providing entertainment functions shall provide a minimum of fifty (50) spaces for off-street parking.
5. The access drive shall be wide enough to accommodate two vehicles side-by-side. Two access drives may be required by the Township where a facility is large enough to need additional access points.
6. Driveways shall be a minimum of fifty (50) feet from adjacent property lines.
7. Parking areas shall be a minimum of twenty-five (25) feet from adjacent property lines.
8. Suitable containers for rubbish shall be placed on the premises for public use.
9. Farm markets shall be located no closer than one hundred (100) feet from any lot line that abuts a residential zone or dwelling unit.
10. Hours of operation shall be limited to between the hours of 7:00 a.m. and 10:00 p.m.

N. Funeral homes and mortuary establishments

1. Minimum lot area shall be three (3) acres and minimum lot width shall be two hundred (200) feet.
2. An off-street vehicle staging area shall be provided to accommodate funeral processions and activities. This area shall be in addition to the required off-street parking and its related maneuvering area.
3. No waiting lines of vehicles shall extend off-site or onto any public road.

4. Driveways and parking areas shall be at least fifty (50) feet from any adjacent property line.

O. Hotels and motels

1. Minimum lot area shall be three (3) acres and minimum lot width shall be two hundred (200) feet.
2. Ingress and egress shall be from a paved (primary) arterial or collector road.
3. Minimum floor area of each guest unit shall be two hundred and fifty (250) square feet.
4. Maximum building height shall not exceed the height limits of the district.

P. Intensive livestock operations

1. Minimum lot size shall be forty (40) acres.
2. Confined feedlots shall adhere to the generally accepted agricultural management practices (GAAMPS) promulgated by the State Department of Agriculture with respect to buffer areas, manure management, odor management, etc.

Q. Multiple-family dwellings with no more than eight (8) units per structure and no more than thirty-two (32) units per development

1. Minimum lot area shall be five (5) acres with a minimum lot frontage of two hundred (200) feet.
2. A minimum of fifteen percent (15%) common usable open space shall be provided on site which shall not include parking areas, driveways or require setbacks.
3. Driveways shall be a minimum of twenty-five (25) feet from adjacent property lines.

R. Nursing home

1. Minimum lot size shall be three (3) acres with at least two hundred (200) feet of frontage.
2. The lot location shall be such that at least one (1) property line abuts an arterial or collector street. The ingress and egress for off-street parking areas for guests and patients shall be directly from that thoroughfare.
3. Main and accessory buildings shall be set back at least fifty (50) feet from all property lines.
4. The facility shall be designed to provide a minimum of two hundred (200) square feet of open space for every bed used or intended bed to be used. This open

space shall include landscaping and may include off-street parking, driveways, required yard setbacks and accessory uses.

S. Open air businesses

1. Minimum lot area shall be two (2) acres with a minimum lot frontage of two hundred (200) feet.
2. The proposed site shall front upon, and all ingress and egress shall be from an arterial or collector road.
3. No access to or from such establishment shall be permitted on any (residential) local road.
4. A six (6) foot fence, wall, or appropriate greenbelt shall be constructed along the rear and sides of the lot, capable of keeping trash, paper, and other debris from blowing off the premises.
5. The lot area used for parking, display, or storage shall be provided with a durable and dustless surface, and shall be graded and drained so as to dispose of all surface water.
6. Any display materials or equipment stored or displayed outside of an enclosed building shall not extend into any required yard or occupy any required parking or maneuvering areas for vehicles.
7. The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.

T. Open space preservation development

1. Minimum lot size shall be ten (10) acres.
2. At least fifty percent (50%) of the land area shall be preserved in permanent open space.
3. The proposed development shall meet the purpose of open space design objectives which is to promote the continuation of a rural land use character, protection of environmental resources, and preservation of active agricultural lands through clustering homes rather than laying them out along public roads or in a grid or curvilinear pattern found in many traditional subdivisions.
4. The open space development (OSD) design shall provide a sense of rural character for the residents of the individual developments affected by these regulations as well as the area as a whole.
5. The OSD design shall foster the preservation of significant natural features, large open spaces, or active agricultural land that would otherwise be altered from their natural or undeveloped condition.
6. All dwelling units shall be single-family detached housing.

7. The OSD design may include agricultural crops, stables, and private airports. The list of allowed uses shall be outlined in the special use permit.
8. The maximum base density and number of dwelling units permitted in the OSD shall be determined through the submission of a parallel plan showing the number of dwelling units that may be developed under the existing zoning classification. The Planning Commission may require additional detail or information as it may determine necessary to evaluate the feasibility of the parallel plan. The parallel plan shall meet the following minimum requirements:
 - a. The parallel plan shall contain enough detail to permit the Planning Commission to evaluate the feasibility of development for each lot.
 - b. All lots or buildings shown on the parallel plans shall be located on buildable lots, which, for the purposes of this Section shall mean lots that are of sufficient size and shape to meet existing zoning requirements and accommodate a main building, septic and well systems and required roads and driveways.
 - c. Areas of wetlands, water bodies, and other unbuildable areas shall not be included within the buildable area of lots, and shall also not be included in the lot area calculations.
 - d. In evaluating the feasibility of the parallel plan, the Planning Commission shall consider whether or not the plan would have been approved under the processes normally used to review site plans or subdivision plans, including such factors as access, lot orientation, road layout, and other considerations the Commission deems appropriate.
9. The Planning Commission may authorize bonus densities in accordance with the table below for additional amenities provided by the developer of an open space development. In no case shall the density bonus total more than fifty percent (50%) of the density determined by the parallel plan.

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|--|-----|
| Preservation of wetlands | 5% |
| 10% Additional open space provided | 5% |
| 20% Additional common waterfront frontage provided | 5% |
| Trails and play equipment provided | 10% |
| Wildlife habitat augmented (per Soil Conservation Service Standards) | 5% |
| Community wastewater disposal system | 30% |
| Community water service system | 25% |

10. Design Standards:

- a. Visual screening of dwellings from off-site road networks and open space preservation development boundaries shall be accomplished through the siting of residences, maximizing existing screens, and providing new natural screens and/or open space buffers where appropriate.
- b. A series of dead-ends or cul-de-sacs serving the development are discouraged. Eyebrow, court, or stub roads are preferred.
- c. Entryways to OSDs shall be designed consistent with the rural and natural character of the surrounding area and shall consist of natural vegetation rather than groomed, landscaped areas.
- d. Where adjoining areas are not subdivided, the arrangement of roads within the proposed open space community shall consider an extension to the boundary line of the project to make provision for the future projection of roads into adjoining areas.
- e. Road systems shall be designed to allow for open space views.

11. Development Setback

- a. Any building lot shall be located at least two hundred (200) feet from any public road right-of-way.
- b. No native or natural vegetation shall be removed from the two hundred (200) foot setback, nor any grading or changes in topography occur, except that necessary for entrance roads, required utilities, or drainage improvements. The Planning Commission may modify this requirement provided the applicant demonstrates that the clearing of existing vegetation would contribute significantly to the purpose and objectives of the OSD.
- c. The Planning Commission may reduce this setback to not less than one hundred (100) feet if existing landscaping or topography provides a natural screen that substantially blocks the view to the proposed development.
- d. The Planning Commission may require a landscape plan for the development setback area showing additional landscaping to enhance the screening of the OSD from the adjacent road. This landscaping may consist of existing vegetation, land forms, or landscaped areas using native or natural materials, or a combination thereof.

12. Designated open space shall be set aside through an irrevocable conveyance, approved by the township attorney, such as a recorded deed restriction, covenants that run perpetually with the land, a conservation easement, or land trusts. The dedicated open space shall forever remain open space, subject only to uses on the approved site plan. Further use of open space for other than recreation, agriculture, conservation purposes, except for easements for utilities, shall be strictly prohibited. Any change in use of the open space from what is

shown on the approved site plan shall require Planning Commission approval, and shall not diminish compliance with the requirements of this Section.

- a. The designated 'open space' shall be of functional value as it relates to opportunities for wildlife habitat, woodland preservation, agricultural use, recreation, visual impact, and access.
 - b. The open space and access to it shall be permanently marked and designed so individuals in the development are not forced to trespass to reach recreational or common open spaces.
 - c. The following land areas shall not be included as dedicated open space for the purposes of meeting minimum open space requirements:
 - (A) Required setback areas
 - (B) The area of any road right-of-way or private road easement.
 - (C) Surface water, detention or retention basins (unless designed to have the appearance of a natural wetland) in which case they may be counted for up to fifty percent (50%) of the required open space.
 - (D) Golf courses.
 - (E) Parking and loading areas, except those exclusively associated with a recreation facility or common open space area.
 - (F) Any other undeveloped areas not meeting the intent and standards for open space stated in this Section, as determined by the Planning Commission.
13. On-site common open space shall be planned in locations visible and accessible to all in the development. The Planning Commission shall determine if the proposed open space is usable and functional. The common open space may either be centrally located, located to preserve natural features, located to buffer adjacent uses, or located to connect open spaces throughout the development, provided the following areas shall be included within the open space area:
- a. Any significant natural features.
 - b. At least one-third (1/3) of the required common open space shall be usable open space for the residents of the development.
 - c. Open space, except for where trails and bike paths are located, shall have minimum dimension of one hundred (100) feet by one hundred (100) feet.
 - d. Where an open space preservation development abuts a body of water, at least fifty percent (50%) of the shoreline, as well as reasonable access to it, shall be a part of the common open space land.

- e. A minimum fifty (50) foot wide undisturbed open space setback shall be maintained from the edge of any stream or wetland; provided that the Planning Commission may permit trails, boardwalks, observation platforms, or other similar structures that enhance passive enjoyment of the site's natural amenities within the setback.
- f. Where adjacent land includes open space, public land or existing or planned paths, open space connections shall be provided between the site and adjacent open space. Trails between adjoining open space development shall be constructed to allow future interconnection between developments.

U. Outdoor recreation development

- 1. Outdoor commercial recreation development uses shall include, but need not be limited to, the following:
 - a. Animal racing, go-cart, automobile or motorcycle tracks.
 - b. Amphitheaters
 - c. Miniature golf.
 - d. Amusement and water parks.
 - e. Drive-in theaters.
 - f. Air gun or survival games.
 - g. Amusement parks.
 - h. Golf driving range.
 - i. Fairgrounds.
 - j. Batting cages.
 - k. Ski slope.
 - l. Skate board park.
 - m. Flea markets.
 - n. Uses similar to the above uses.
 - o. Uses accessory to the above uses, such as refreshment stands, retail shops selling items related to the above uses, maintenance buildings, office for management functions, spectator seating and service areas, including locker rooms and rest rooms.
- 2. The minimum lot size shall be twenty (20) acres.

3. The lot shall be located so at least one (1) side abuts an arterial or collector road and all access shall be from that road.
4. Entry drives and parking areas shall be a minimum of fifty (50) feet from adjacent property lines.
5. All main and accessory buildings shall maintain a separation of at least two hundred (200) feet from any residential dwelling located on adjacent property.
6. Maximum building coverage shall be twenty-five percent (25%).
7. Any outdoor recreation development located within five hundred (500) feet of any adjacent dwelling shall not be open later than 10:00 p.m.
8. The Planning Commission may require the entire premises to be surrounded by a six (6) foot fence at or near the property lines.
9. A landscaped area of at least twenty-five (25) feet in width shall be maintained around the periphery of the property. Screening that complies with the landscaping provisions of Section 3.15 shall be provided adjacent to a residential use or districts.

V. Produce or vegetable packing plant

1. Minimum lot size shall be ten (10) acres.
2. Products to be packaged shall be grown in the area.
3. Areas accommodating trucks including loading docks and parking areas shall not be located in the front setback and shall be a minimum of one hundred (100) feet from any property line.
4. The Planning Commission may require screening in accordance with Section 3.16 where adjacent lands are zoned or used for residential purposes.

W. Public boat launch

1. Minimum lot size shall be one (1) acre.
2. A minimum fifty (50) foot vegetative buffer strip shall be maintained adjacent to the ordinary high-water mark outside of the immediate boat launch area.
3. Parking spaces shall be design to accommodate a vehicle and trailer ten feet wide by thirty feet long (10x30) with ample turn-around facilities on-site.

X. Public or private campgrounds

1. Minimum lot area shall be ten (10) acres.
2. Campsites shall not be located within one hundred (100) feet of any property line.

3. Retail commercial uses may be permitted within the campground provided that the following requirements are met:
 - a. All commercial uses allowed shall occupy no more than two thousand (2,000) square feet.
 - b. No merchandise for display, sale or lease shall be located in any manner outside the main building, except for those specific items approved by the Planning Commission.
 - c. All commercial uses shall be setback two hundred (200) feet from any property line.
4. Each campsite shall have a minimum area of 1,500 square feet.
5. Common area shall be provided at the ratio of one thousand (1,000) square feet for each campsite.
6. Driveways and parking areas shall be at least fifty (50) feet from any adjacent property line.

Y. Raising of fur-bearing animals or game birds

1. Minimum lot size shall be five (5) acres.
2. Minimum setback of one hundred (100) feet from any property line is required for the area used for breeding, rearing, selling, and housing the animals or birds.
3. Fencing will be required commensurate with that required to obtain a "Permit to Hold Wildlife in Captivity" permit from the Michigan Department of Natural Resources.
4. Hunting of animals or birds for sport or profit may be permitted in designated areas subject to State laws pertaining to separation distances required between hunting areas and residential structures.
5. Animal waste shall be disposed of in safe manner, as recommended by the Health Department. Such disposal shall not constitute a hazard to adjacent property owners.

Z. Removal and Processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources

1. In addition to the information required for site plan review, the application shall include the following:
 - a. A written legal description of all of the lands proposed for the use.
 - b. Nine (9) copies of a plan for mineral removal, drawn and sealed by a registered civil engineer, and including the following, at a minimum:
 - (A) A north arrow, scale, and date;

- (B) Shading indicating the extent of land area on which mineral removal operations and activities will take place;
 - (C) The location, width, and grade of all easements or rights-of-way on or abutting the lands;
 - (D) The location and nature of all structures on the lands;
 - (E) The location and direction of all water courses and flood control channels that may be affected by the mineral removal operations;
 - (F) Existing elevations of the lands at intervals of not more than five (5) feet;
 - (G) Typical cross sections showing the estimated extent of overburden, and estimated extent of mineral material location in, or on the lands, and the water table;
 - (H) Mineral processing and storage areas (including crushing, washing, asphalt plants, etc.);
 - (I) Proposed fencing, gates, parking areas, and signs;
 - (J) Roads for ingress to, and egress from the lands, including on-site roads, other areas to be used for movement of vehicles and a description of the proposed measures to limit dust generated by mineral removal activities and movement of vehicles;
 - (K) A map showing access routes between the subject lands and the nearest (County) paved arterial or collector road;
 - (L) Areas to be used for ponding, and;
 - (M) Proposed method of managing overburden (e.g., seeding, grading, erosion and sedimentation control, etc.
- c. A narrative description and explanation of the proposed extraction operations and activities, including:
- (A) The date of commencement.
 - (B) Proposed hours and days of operation.
 - (C) Estimate of type and quantity of mineral materials to be removed.
 - (D) Description of extraction and processing methods, including proposed equipment and the noise rating of each type thereof.
 - (E) A summary of the procedures and practices that will be used to ensure compliance with the conditions of this subsection.

- (F) Description of size of trucks and daily volume of traffic entering and leaving the site, and on-site circulation pattern.
- d. A site rehabilitation plan including the following:
- (A) A written description of planned site rehabilitation and end-use(s), including potential methods of accomplishment.
 - (B) A phasing plan, if the excavation of the site is to be accomplished in phases. This plan shall indicate the area and extent of each phase and the approximate timing of each phase.
 - (C) A plan showing:
 - (1) Final grades of the lands as rehabilitated, at contour intervals not exceeding five (5) feet;
 - (2) Water courses, ponds, or lakes, if any;
 - (3) Landscaping and plantings;
 - (4) Areas of cut and fill; and
 - (5) All of the components of the proposed end-use(s);
 - (D) A description of the proposed methods or features that will ensure that the end-use is feasible, and can comply with all applicable requirements of this Ordinance.
 - (E) Each site rehabilitation plan shall be reviewed by the Planning Commission and shall comply with all of the following standards and requirements:
 - (1) Topsoil shall be replaced on the site to a depth of not less than six (6) inches, except where the end-use activities or features do not involve the planting of lawns or growing of vegetation.
 - (2) Slopes shall be graded and stabilized to such extent as will accommodate the proposed end-use.
 - (3) The plan shall indicate the phasing of site rehabilitation, if the same is to take place in phases, and if so, topsoil shall be replaced and slopes shall be graded and stabilized before mineral removal operations or activities are commenced in another area of the site.
 - (4) Final slopes shall have a ratio of not more than one (1) foot of elevation to three (3) feet of horizontal distance.
 - (5) Plantings of grass, shrubs, trees, and other vegetation shall be made so as to maximize erosion protection,

screen less attractive areas of end-uses, and enhance the beauty of the site as rehabilitated.

2. No machinery shall be erected or maintained within one hundred (100) feet of any exterior property line. No cut or excavation shall be made closer than fifty (50) feet to any road right-of-way line or property line in order to ensure subterranean support to surrounding property. The Planning Commission may require greater distances for the location of machinery, storage or parking of equipment, or limits of excavation where the site is located within two hundred (200) feet of any Residential District.
3. No business or industrial buildings or structures of a permanent nature shall be erected, except when such building is a permitted use within the district in which the excavation pit is located.
4. The Planning Commission shall request that the Newaygo County Road Commission recommend routes for truck movement to and from the site in order to minimize the wear on public roads, and to prevent hazards and damage to properties in the community. Access roads within the area of operation shall be provided with a dustless surface and the entry road shall be hard surfaced for a distance established by the Planning Commission to minimize dust, mud, and debris being carried onto the public road.
5. Proper measures shall be taken to minimize the nuisance of noise and flying dust or rock. Such measures may include, when considered necessary, limitations upon the practice of stockpiling excavated material upon the site.
6. Mineral resource extraction operations shall not operate prior to 7:00 a.m. or after 7:00 p.m., Monday through Friday. Saturday operations shall not operate prior to 8:00 a.m. or after 3:00 p.m. Operations shall not operate any time on Sundays or holidays.
7. During activities and operations for the removal of mineral material, no mineral material or other excavated materials shall be left during weekends or overnight in such condition or manner as to constitute a danger to children or others who may enter the removal areas. All banks of excavated material shall be graded to slopes having a vertical to horizontal ratio of not greater than one (1) foot of elevation for each three (3) feet of horizontal distance, after the cessation of daily operations. However, the Planning Commission may permit some lesser daily grading requirement if the applicant provides a substantially constructed and maintained welded wire fence, or fence of equally substantial material. Such fence shall be at least four (4) feet in height, so located that any slopes steeper than one (1) foot of elevation for each two (2) feet of horizontal distance cannot inadvertently be approached by any persons who may enter the removal area.
8. The Planning Commission may require compliance with such other conditions as may be necessary to ensure compliance with the terms of this subsection. Such conditions may include, though need not be limited to, weed control, erosion and sedimentation control, fencing and visual screening including berms, requirements for groundwater monitoring wells, preservation of trees and other vegetation, and fuel loading and storage requirements.

9. An applicant for a permit shall submit a performance bond or other financial security in accordance with the requirements of this Ordinance, naming Big Prairie Township as the insured party, and conditioned upon the timely and faithful performance by the applicant of all of the terms and conditions of the permit. The bond or other financial security shall have such other terms and shall be in such amount as is recommended by the Zoning Administrator as reasonably necessary to ensure compliance with all of the terms and conditions of this subsection and the permit.
 - a. The performance bond or other financial security shall not be refunded, reduced, released, or transferred until the mineral removal operations and activities, land reclamation or restoration, and all other required activities have received final inspection by the Zoning Administrator.
 - b. The timely and faithful compliance with all of the provisions of the performance bond or other financial security shall be a condition of any mineral removal operations. In the absence of any such compliance with the terms of the performance bond, or if the special use is revoked, expires, or is not renewed, the Planning Commission need not approve the renewal of any permit, even if the applicant has otherwise complied with all other terms and provisions of the current permit.
10. To ensure compliance with the permit, the Zoning Administrator shall conduct periodic inspections and shall file a written annual report to the Planning Commission. The operator shall be required to pay an annual fee to cover the cost of inspections and additional meetings of the Planning Commission.

AA. Sale of animal feed, seed, fertilizers and related farming products unless conducted as part of a bona fide farming operation where the operation does not require a Michigan sales tax license

1. Uses shall include, but are not limited to, grain elevators for storage, drying and sales, bulk feed and fertilizer outlets and distribution centers, seed dealership outlets and distribution centers, crop truck and cartage facilities, agricultural products, production and processing operations and auctions for livestock.
2. Minimum lot size shall be five (5) acres.
3. Minimum frontage shall be three hundred (300) feet.
4. Trucking, outside storage, loading and dock areas shall be fenced and screened, pursuant to the buffering landscaping requirements of Section 3.16.
5. No storage or loading activities shall be permitted within one hundred (100) feet of any lot line.
6. All buildings shall be set back a minimum of seventy-five (75) feet from any lot line.

7. All agricultural service activities shall be located at least three hundred (300) feet from any residential district and one hundred (100) feet from the property line of an abutting residential use.
8. The lot shall be located so at least one (1) side abuts an arterial or collector (county) road and all access shall be from that road.

BB. Adult uses

1. In the development and execution of this subsection, it is recognized that there are some uses that, because of their very nature, have serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances or when one or more of them is located in proximity to a Residential District, thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These special regulations are itemized in this subsection. These controls are for preventing a concentration of these uses within any one area, or to prevent deterioration or blighting of a nearby residential neighborhood. These controls do not legitimize activities prohibited in other sections of the Zoning Ordinance.
2. Any sexually-oriented business use is permitted if:
 - a. The proposed use is not an accessory or incidental use and it is located within a zone district where the use may be permitted as a Special Land Use.
 - b. The use is not located within a one thousand (1,000) foot radius of a residential use or district, or regular place of worship, a public or private nursery school, preschool, kindergarten, elementary or secondary school, public park or a licensed child care center.
 - c. The use shall not be within a five hundred (500) foot radius of another such use. Separation distances between Adult uses may be waived by the Planning Commission if the following findings are made:
 - (A) That the proposed use will not be contrary to the public interest or injurious to nearby properties and that the spirit and intent of this subsection will be observed.
 - (B) That the proposed use will not enlarge or encourage the development of a blighted or deteriorating area in its immediate surroundings.
 - (C) That the establishment of a regulated use, or an additional regulated use, in the area will not be contrary to any program of neighborhood conservation.
 - (D) That all applicable state laws and local ordinances will be observed.

- (E) Prior to the granting of any waiver as herein provided, the Planning Commission may impose any conditions or limitations upon the establishment, location, construction, maintenance, or operation of the regulated use as may be, in its judgment, necessary for the protection of the public interest. Evidence and guarantees may be required such that the conditions stipulated in connection with the use will be fulfilled.
 - d. For purposes of this subsection, the separation between a Adult uses and a use listed in this subsection shall be measured from the Adult uses to the boundary line of the use or district in which the other use is located and the separation distance between an Adult uses and another Adult uses shall be measured from the Adult uses' lot line to the other Adult uses' lot line.
 - e. If any portion of the building or structure in which the Adult uses is located fails to meet the separation distance requirements of this subsection, then the entire building or structure shall be ineligible for an Adult uses use.
 - f. The presence or existence of a political subdivision boundary shall be irrelevant for the purposes of calculating and applying the separation distance requirements of this subsection.
 - g. Adult uses lawfully operating is not rendered a nonconforming use by the location, subsequent to the location or grant or renewal of the Adult uses, of a regular place of worship, a public or private nursery school, preschool, kindergarten, elementary or secondary school, a public park, a licensed child care center, any entertainment business that is oriented primarily toward children or family entertainment, or another Adult uses.
3. Parking spaces shall be provided at the ratio of one (1) space per person permitted by the maximum occupancy load established by fire, health, or building codes.
 4. Parking shall be provided in front of the building and shall not be screened.
 5. No Adult uses shall remain open at any time between the hours of 11:00 p.m. and 10:00 a.m. and no such use shall be open on Sundays.
 6. No alcohol shall be served at any Adult uses.
 7. No Adult uses use shall permit any person under the age of eighteen (18) years to enter the premises. Signs shall be conspicuously posted noting that minors are not allowed.
 8. All parking areas and the building shall be well lit to ensure the safety and security of patrons. These areas shall remain lighted for one (1) hour after closing each night.
 9. The activities to be conducted or the materials to be distributed shall not be in violation of any applicable statute, code or ordinance.

CC. Sawmills

1. Minimum lot size shall be two (2) acres.
2. Sawmill equipment shall be located a minimum of fifty (50) feet from an adjoining property line.
3. Where adjoining a Residential District or use, a buffer zone that complies with the requirements of Section 3.16 erected along any common lot line.

DD. Schools, churches, libraries, parks, playground and community center buildings

1. Such uses shall require a minimum lot size of ten (10) acres, except for parks and playgrounds, which shall meet the minimum lot requirement of the District in which they are located.
2. The principal and accessory buildings and structures shall not be located within fifty (50) feet of any residential use or district.
3. Minimum lot size for institutions shall be two (2) acres; plus, an additional fifteen thousand (15,000) square feet for each one hundred (100) seating capacity or fraction thereof.
4. Institutions shall have direct access to a paved county primary road.
5. The main and accessory buildings and structures shall not be located within fifty (50) feet of the property line of any residential use or district.
6. All stadium and all other exterior sports arena luminaries used for the purpose of illumination of the playing area are extinguished by 10:00 p.m. or immediately after the conclusion of the final event of the day. The remainder of the facility lighting, except for reasons of security, is extinguished at 10:00 p.m. or within one hour after the event, whichever is later, and remains extinguished until one hour prior to the commencement of the next event.

EE. Shooting rifle and handgun ranges

1. Minimum lot area shall be forty (40) acres.
2. Minimum setback of two hundred and fifty (250) feet from all lot lines shall be established where no shooting activities shall take place.
3. Hours of operation shall not begin before 9:00 a.m. nor end later than 9:00 p.m. for outdoor ranges.
4. The use shall not be located any closer than one quarter (1/4) mile from any Residential District, residential use, church or school.
5. Rifle and pistol ranges shall have sufficient backstop to prevent further range of a bullet or an errant shot.

FF. State licensed residential facilities

1. Non-residential parking setback and screening provisions shall apply.
2. The facility shall be at least one thousand five hundred (1,500) feet from any other similar facility.

GG. Theaters or similar places of public assembly

1. The establishment shall be located on property with direct access to a public road.
2. Minimum lot size shall be five (5) acres.
3. Where adjoining a Residential District or use, a buffer zone that complies with the requirements of Section 3.16 erected along any common lot line.

HH. Vehicle body and repair shops

1. No building or structure shall be located within one hundred (100) feet of any Residential Use or district.
2. Minimum lot area shall be one (1) acre and minimum lot width shall be two hundred (200) feet.
3. All equipment and activities associated with vehicle repair operations, except those in incidental use, such as air hoses, shall be kept within an enclosed building.
4. No more than three (3) inoperable vehicles shall be permitted on site. Inoperative vehicles left on the site shall be stored in an enclosed building within forty-eight (48) hours or in an area screened by an opaque fence not less than six (6) feet in height. Such fence shall be continuously maintained in good condition.
5. Storage of vehicle components and parts, trash, supplies, or equipment outside of a building is prohibited unless appropriately screened.
6. Where adjoining a Residential District or use, a buffer zone that complies with the requirements of Section 3.16 erected along any common lot line.

II. Vehicle service stations

1. Minimum lot area shall be one (1) acre and minimum lot width shall be two hundred (200) feet.
2. Pump islands shall be a minimum of forty (40) feet from any public right-of-way or lot line.
3. If retail sales of convenience goods are conducted on the premises, parking for such uses shall be computed and provided separately for that use without impeding pump traffic.

4. Canopy roofs shall be permitted to encroach into any required yard, provided that a minimum setback of twenty (20) feet from adjacent property lines is maintained and further provided that the fascia of the canopy is a minimum of fifteen (15) feet above the average grade.
5. Where adjoining a Residential District or use, a buffer zone that complies with the requirements of Section 3.16 erected along any common lot line.
6. The Planning Commission may establish reasonable hours of operation where it is determined that the proposed use may generate noise, glare, or similar disturbances upon nearby residents.

JJ. Vehicle wash establishments, either self-serve or automatic

1. Minimum lot area shall be one (1) acre and minimum lot width shall be two hundred (200) feet.
2. Sufficient stacking capacity for the drive through portion of the vehicular wash establishment shall be provided to ensure that traffic does not extend into the public right-of-way. A minimum of ten (10) stacking spaces for an automatic wash facility shall be provided. For self-service establishments, each stall shall have at least two (2) stacking spaces at its entrance and one (1) stacking space at its exit.
3. Vacuuming activities, if outdoors, shall be at least one hundred (100) feet from any Residential District or use.
4. Wash bays for self-service establishments shall be located at least fifty (50) feet from any Residential District or use.
5. The lot area used for parking shall be provided with a paved surface and shall be drained so as to dispose of all surface water.
6. Where adjoining a Residential District or use, a buffer zone that complies with the requirements of Section 3.16 erected along any common lot line.
7. The Planning Commission may establish reasonable hours of operation where it is determined that the proposed use may generate noise, glare, or similar disturbances upon nearby residents.

KK. Veterinary clinics and hospitals

Any buildings which house animals, and any animal runs or exercise areas shall be located at least one hundred (100) feet from a property line and shall be screened in accordance with Section 3.16.

LL. Wireless communication towers over 75 feet

1. The applicant shall provide evidence that there is no reasonable or suitable alternative for collocation of antennas on an existing communication tower or building within the service area of the proposed tower.

2. The applicant shall provide an inventory of its existing towers, antennas, or sites approved for towers or antennas that are either within the township or within one (1) mile of the border thereof, including specific information about the location, height and design of each tower. The Planning Commission may share such information with other applicants applying for approval under this ordinance or other organizations seeking to locate antennas within the township, provided, however that the Planning Commission is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.
3. All towers and antennas shall be located so that they do not interfere with reception in nearby residential areas. In the event a communication tower causes interference, the communication company shall take all steps necessary to correct and eliminate such interference.
4. No new communication tower or antenna shall be located within a three (3) mile radius of an existing communication tower or antenna. This requirement may be waived by the Planning Commission if one (1) of the following conditions are met:
 - a. The proposed communication facility is located on an existing communication tower.
 - b. The communication tower is to serve solely a governmental or educational institution.
 - c. No communication tower or antenna shall be located closer than five hundred (500) feet from the boundary of an existing residential use or district.
5. No communication tower and antenna shall be greater than two hundred (200) feet in height, except if in the opinion of the Planning Commission, the applicant has sufficiently demonstrated that a proposed communication tower in excess of two hundred (200) feet will reduce the total number of potential communication towers in the area.
6. Communication towers shall be set back from all property lines a minimum of one (1) foot for every one (1) foot of tower height.
7. The applicant shall provide verification with a certified sealed print that the antenna and the communication tower have been reviewed and approved by a professional engineer and that the proposed installation is in compliance with all the applicable codes.
8. The applicant shall provide the legal description of the parent parcel and any leased portion thereof.
9. A security fence at least six (6) feet in height shall be constructed around the tower and any other related apparatuses (i.e. ground antennas, satellite dishes, and accessory structures).
10. The Planning Commission may require a buffer zone in compliance with Section 3.16 of the ordinance.

11. All communication towers shall be equipped with an anti-climbing device to prevent unauthorized access.
12. No signs shall be permitted on site, except for warning, or other cautionary signs, which shall not exceed two (2) square feet in area.
13. All new communication towers and antennas shall either maintain a galvanized steel finish or, subject to any applicable standards of the Federal Aviation Administration, be painted a neutral color so as to reduce visual obtrusiveness.
14. The collocation of an antenna shall not require an Additional Special Land Use permit and may be approved by the Zoning Administrator.
15. The applicant shall submit details of communication tower lighting approved by the Federal Aviation Administration. All lights shall be restricted to the extent that is required for compliance with Federal Aviation Administration regulations and on-site security.
16. All communication tower permits issued by the Township shall be contingent upon any necessary approval of the Federal Aviation Administration, Federal Communication Commission, State Bureau of Aeronautics – Tall Structures Act and any other applicable state or federal acts.
17. The applicant shall submit a report or letter from the Federal Aviation Administration that the proposed tower complies with all airport safety requirements for all public and private airports in or within four (4) miles of the township.
18. Communication towers and antennas shall be regulated and permitted pursuant to this Section and shall not be regulated or permitted as essential services, public utilities, or private utilities.
19. Any communication tower that is abandoned or its use discontinued for a period of twelve (12) months shall be required to be removed immediately by the owner and/or lessee. Abandonment or discontinuance shall be determined when any of the following conditions are evident: disconnection of electricity; property, buildings, or grounds that have fallen into disrepair or the removal of all antennas or support structures.
20. The application shall include a description of security to be posed at the time of receiving a building permit for the communication tower to ensure removal of the communication tower when it has been abandoned or is no longer needed.

MM. Wind energy conversion systems (WECS)

1. Any facilities may be permitted as a principal use or accessory use on a parcel.
2. Minimum lot size for a commercial WECS shall be twenty (20) acres, but a minimum of five (5) acres of site area is required for each WECS proposed within an eligible property. Minimum lot size for a non-commercial WECS shall be five (5) acres.

3. In addition to the requirements for Site Plan Review the following information shall be included with any application of a Special Land Use for a WECS:
 - a. Location of overhead electrical transmission or distribution lines.
 - b. Location and height of all buildings, structures, towers, guy wires, guy wire anchors, security fencing, and other above ground structures associated with the WECS.
 - c. Locations and height of all adjacent buildings, structures, and above ground utilities located within three hundred (300) feet of the exterior boundaries of the site housing the WECS and/or Testing Facility. The boundaries to include the outermost locations upon which towers, structures, fencing, facilities, and other items associated with a WECS are placed. Specific distances to other on-site buildings, structures, and utilities shall be provided.
 - d. A proper buffer or greenbelt to screen the use from any adjacent residential use or district and the public road as outlined in Section 3.16.
 - e. Existing and proposed setbacks of all structures located on the property in question.
 - f. Sketch elevation of the premises accurately depicting the proposed WECS and its relationship to all structures within three hundred (300) feet. For wind farms in which case numerous towers of similar height are planned, sketches are necessary only at borders of proposed project and when adjacent to other established structures within three hundred (300) feet.
 - g. Access roads to the WECS and Testing Facility with detail on dimensions, composition, and maintenance.
 - h. Planned security measures to prevent unauthorized trespass and access.
 - i. WECS and testing facility maintenance programs shall be provided that describes the maintenance program used to maintain the WECS and testing facility, including removal when determined to be obsolete.
4. A copy of the manufacturer's installation instruction shall be provided. Included as part of or as an attachment to the installation instructions shall be standard drawings of the structural components of the wind energy conversion system and support structures, including base and footings provided along with engineering data and calculations to demonstrate compliance with the structural design provisions of the Building Code; drawings and engineering calculations shall be certified by a professional engineer licensed in the State of Michigan.
5. Each WECS shall be grounded to protect against natural lightning strikes in conformance with the National Electrical Code. Additionally, WECS and Testing Facility electrical equipment and connections shall be designed and installed in adherence to the National Electrical Code as adopted by the Township.

6. A minimum of a six (6) foot tall fence shall be provided around the perimeter of the WECS, or in the case of several WECS, around the perimeter of the site.
7. No part of a WECS or Testing Facility shall be located within or above any required front, side or rear yard setback of the zoning district in which it is located.
8. WECS towers shall be setback from the closest property line one (1) foot for every one (1) foot of system height.
9. WECS and Testing Facilities shall not be located within thirty (30) feet of an above ground utility line.
10. The height of a WECS or Testing Facility shall be measured from grade to the tip of the blade in the vertical position, or the highest point of the WECS, whichever is greater. Maximum height for a commercial WECS shall be two hundred (200) feet and maximum height of one hundred and forty (140) feet for a non-commercial WECS.
11. WECS shall be of monopole design and shall not have guy wires.
12. Colors and surface treatment of the WECS and supporting structures shall minimize disruption of the natural characteristics of the site. No part of the structure shall be used for signs or advertising.
13. Blade-arcs created by the WECS shall have a minimum of thirty (30) feet of clearance over any structure, land or tree within a two hundred (200) foot radius of the tower.
14. To prevent unauthorized climbing, WECS and Testing Facility towers must comply with one of the following provisions:
 - a. Tower climbing apparatus shall not be located within twelve (12) feet of the ground.
 - b. A locked anti-climb device shall be installed on the tower.
 - c. A locked, protective fence at least six (6) feet high shall enclose a tower capable of being climbed.
15. Each WECS and Testing Facility shall have one sign, not to exceed two (2) square feet in area posted at the base of the tower. The sign shall contain the following information:
 - a. Warning high voltage.
 - b. Manufacturer's name.
 - c. Emergency phone number.
 - d. Emergency shutdown procedures.

16. WECS and Testing Facilities shall not have affixed or attached lights, reflectors, flashers or any other illumination, except for illumination devices required by Federal regulations.
17. WECS and Testing Facilities shall be designed and constructed so as not to cause radio and television interference.
18. Noise emanating from the operation of WECS and Testing Facilities shall not exceed forty-five (45) decibels, as measured on the dBA scale, measured at the nearest property line. The applicant shall provide estimates of noise levels at property lines for normal operating conditions.
19. Any proposed WECS shall not produce vibrations humanly perceptible beyond the property on which it is located.
20. The onsite electrical transmission lines connecting the WECS to the public utility electricity distribution system shall be located underground.
21. The WECS shall be located and designed such that shadow flicker will not fall on, or in, any existing residential structure.
22. Any WECS or Testing Facility which is not used for six (6) successive months shall be deemed abandoned and shall be dismantled and removed from the property at the expense of the property owner. The Township may require a performance guarantee in accordance with the provisions of Section 19.06 to ensure enforcement of this requirement.

NN. Poultry processing and packing facility

1. Resides in the AR Agricultural Residential District.
2. No more than three (3) persons shall be working on the premises in addition to the members of the family who live on the premises.
3. Poultry processing and packing facility shall be clearly incidental and subordinate to the use of a parcel containing a dwelling occupied as a principal residence of the owners or operators.
4. The accessory area utilized by the slaughtering, rendering and packaging shall not exceed the limits of Section 3.09.
5. Minimum parcel size shall not be less than five (5) acre, provided that a smaller parcel may be approved by the Planning Commission upon finding that the intent and other requirements of this section can be met.
6. All aspects of the slaughtering, rendering and packaging shall be located and conducted within a dwelling unit or enclosed accessory building(s).
7. Not more than ten (10) customers or clients shall come to the premises during any one (1) day.

8. Dedicated septic system is required.
9. No equipment or process used in the slaughtering, rendering and packaging shall create noise, vibration, glare, fumes, dust, odors, smoke, electrical interference or other impacts in excess of the noise customarily generated by single-family residential uses in the neighborhood.

OO. Solar Energy

1. Off-Grid:
 - a. The Building and Electrical Inspectors shall certify that the foundation and design of the solar panels is within accepted professional standards, given the local soil and climate conditions.
 - b. Roof Mounted energy systems:
 - (A) Solar panels erected on a building shall not extend beyond the peak of the roof.
 - (B) Roof mounded panels must be installed with a minimum of a three (3) foot setback from the edge of the roof, the peak, or eave or valley to maintain pathways of accessibility.
 - (C) A Site Plan meeting the requirements of Chapter 13 Site Plan Review, shall be required including manufactures power output of each solar panel, number of panels used and a Building Permit.
 - c. Ground Mounted Solar Energy Systems:
 - (A) A ground mounted solar energy system shall not exceed the maximum building height for adjacent accessory buildings, but in any case, the top of the system shall not be more than twenty (20) feet above the ground.
 - (B) A ground mounted or free-standing solar energy system shall not be installed in the front yard.
 - (C) All power transmission lines from a ground mounted solar energy system to any building or other structure shall be located underground.
 - (D) There shall be a greenbelt, screening any ground mounted solar energy systems and equipment associated with the system from any adjacent residence per Section 3.15 Greenbelt and Landscaping. In lieu of a planting greenbelt, a decorative fence may be used.
 - (E) Individual solar panels shall be designed and located in order to prevent glare toward any inhabited building or adjacent properties as well as adjacent road rights-of-way or waterways.

- (F) If the Solar Panel(s) cease to operate or is abandoned for a period of one (1) year or is deemed by the Zoning Administrator or Building Inspector to be unsafe or not consistent with code, the current property owner shall repair and restore the panels to good working order within a reasonable time by the Zoning Administrator or Building Inspector or, if no longer operating or no longer in compliance with federal, state, or local codes, the current property owner shall remove the solar panel(s) and restore the property to its original condition at owners expense.
- (G) No solar panels shall be erected less than ten (10) feet from any structure on the ground.
- (H) The site must have soil stabilization within the first six (6) months after final completion.

2. Small:

- a. A copy of the utility company's agreement to purchase energy.
- b. The Building and Electrical Inspectors shall certify that the foundation and design of the solar panels is within accepted professional standards, given the local soil and climate conditions.
- c. Roof Mounted Solar Energy Systems:
 - (A) Solar panels erected on a building shall not extend beyond the peak of the roof.
 - (B) Roof mounted panels must be installed with a minimum of a three (3) foot setback from the edge of the roof, the peak, or eave or valley to maintain pathways of accessibility.
 - (C) A Site Plan meeting the requirements of Chapter 13 Site Plan Review, shall be required including manufactures power output on each solar panel, the number of panels being used and a Building Permit.
- d. Ground Mounted Solar Energy Systems:
 - (A) A ground mounted solar energy system shall not exceed the maximum building height for adjacent accessory building, but in any case, the top of the system shall not be more than twenty (20) feet above the ground.
 - (B) A ground mounted or free-standing solar energy system shall not be installed in the front yard.
 - (C) All power transmission lines from a ground mounted solar energy system to any building or other structures shall be located underground.

- (D) There shall be a greenbelt, screening any ground mounted solar energy systems and equipment associated with the system from any adjacent residence per Section 3.15 Greenbelt and Landscaping. In lieu of planting greenbelt, a decorative fence may be used.
- (E) Individual solar panels shall be designed and located in order to prevent glare toward any inhabited building or adjacent properties as well as adjacent road right-of-way or waterways.
- (F) If provided, lighting shall be shielded and downward such that the light does not spill unto adjacent property.
- (G) If the Solar Panel(s) cease to operate or is abandoned for a period of one (1) year or is deemed by the Zoning Administrator or Building Inspector to be unsafe or not consistent with code, the current property owner shall repair and restore the panels to good working order within a reasonable time by the Zoning Administrator or Building Inspector or, if no longer operation or no longer in compliance with federal, state, or local codes, the current property owner shall remove the solar panel(s) and restore the property to its original condition at owners expense.
- (H) No solar panels shall be erected less than ten (10) feet from any structure on the ground.
- (I) 10.The site must have soil stabilization within the first six (6) months after final completion.

3. Farms

- a. Access roads between solar arrays and around the perimeter, shall be a minimum of twelve (12) feet in width.
- b. A copy of the utility company's agreement to purchase energy.
- c. The Building and Electrical Inspector shall certify that the foundation and design of the solar panels is within accepted professional standards, given the local soil and climate conditions. The Inspectors' stamp shall be affixed to the documents.
- d. Ground mounted panels shall not exceed a height of twenty (20) feet.
- e. Individual solar panels shall be designed and located in order to prevent glare toward any inhabited building or adjacent properties as well as adjacent road rights-of-ways or waterways.
- f. If provided, lighting shall be shielded and downward such that the light does not spill unto adjacent property.

- g. Mechanical equipment shall be screened by fencing, landscaping, or placed inside a building.
- h. No solar panels shall be erected less than ten (10) feet from any structure on the ground.
- i. Power and communication lines running between banks of solar panels and to electrical substations or interconnections with buildings shall be buried underground. Exemptions or variances may be granted in instances where shallow bedrock, water courses, or other elements of natural landscape interfere with the ability to bury lines.
- j. Systems equipment and structures shall be fully enclosed and screened by a fence no less than eight (8) feet in height and or by a landscape greenbelt and berm as determined by the Planning Commission. Screening requirements may be waived or reduced by Planning Commission when existing natural vegetation or terrain accomplished the same.
- k. Ground mounted solar panels as part of a solar farm shall have a minimum setback of at least fifty (50) feet from all property lines, or whatever is established for that district, whichever is greater.
- l. An appropriate warning sign shall be provided at the entrance to the facility and along the perimeter. The sign at the entrance to the facility shall include a twenty-four (24) hour emergency contact number.
- m. A site plan drawn to scale and meeting the requirements of Chapter 13 Site Plan Review shall be required.
- n. If the solar panels ceased to operate or is abandoned for a period of one (1) year or is deemed by the Zoning Administrator or Building Inspector to be unsafe or not consistent with code, the current property owner shall repair and restore the solar panel to good working order within a reasonable time set by the Zoning Administrator or Building Inspector or if no longer operating or no longer in compliance with federal, state or local codes, the current property owner shall remove the solar panels in its entirety and restore the property to its original condition at owner's expense. A decommissioning plan shall be submitted as part of the application.
- o. The site must have soil stabilization within the first six (6) months after final completion.